

REMARKS

In light of the above amendments and remarks to follow, reconsideration and allowance of this application are respectfully requested.

Claims 1, 2, and 5-7 are pending in this application.

Claims 1, 2, and 5-7 are rejected under 35 U.S.C. §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Although the Examiner identified claim 5 as having the limitation "the selected pieces of input data," it is respectfully submitted that claim 6, and not claim 5, recites this feature. Accordingly, claims 1 and 6 have been amended herein as suggested by the Examiner. The claims, as presented herein, are believed to be in compliance with the requirement of 35 U.S.C. §112, second paragraph. Accordingly, withdrawal of the above §112 rejection is respectfully requested.

Claims 1 and 2 are rejected under 35 U.S.C. §103(a) as being unpatentable over Linnartz (US 6209092) in view of Hayashi et al (EP 967783 A2).

Independent claim 1, as amended herein, recites in part as follows:

"A recording method for a record medium having a plurality of pieces of input data stored thereon in which each piece of input data represents a respective audio file, comprising the steps of:

selecting one or more of the plurality of pieces of input data to receive management information;

adding respective right information containing at least copyright management information individually to each of the selected one or more pieces of input data..."

In the method of claim 1, one or more of a plurality of pieces of input data are selected to receive management information where each piece of input data is representative of an audio file. Respective right information is individually added to the selected piece or pieces of input data. As an example, Fig. 6 depicts the contents of a record medium. As shown in Fig. 6, music program 1 of album A1 may have right information added indicating that it is ok to copy music program 1 while music program 3 of album 1 may have right information added indicating it is not ok to copy music program 3.

On page 3 of the office action, the Examiner stated that "Linnartz fails to disclose selecting one or more of a plurality of pieces of input data to receive management information and individually adding the information to the selected pieces of data." To overcome such deficiency of Linnartz, the Examiner appears to rely on paragraphs [0001] to [0014] of Hayashi. It is respectfully submitted that the portion of Hayashi applied by the Examiner (hereinafter "Hayashi") does not disclose the above-recited features of claim 1. That is, Hayashi appears to disclose an apparatus that is enabled to perform individual management of digital watermark information for image data. For instance, Hayashi discloses embedding a watermark into the chrominance components of image data and not the luminance component. Hayashi does not appear to disclose adding respective right information to the selected one or more pieces of input data where each piece of input data represents a respective audio file.

Accordingly, independent claim 1 is believed to be distinguishable from the applied combination of Linnartz and Hayashi.

Claim 2 depends from claim 1, and, due to such dependency, is believed to be distinguishable from the applied

combination of Linnartz and Hayashi for at least the reasons previously described.

Claims 5-7 are rejected under 35 U.S.C. §103(a) as being unpatentable over the modified Linnartz and Hayashi system as applied to claim 1, and further in view of Ryan.

Claim 5 depends from claim 1, and, due to such dependency, is believed to be distinguishable from the applied combination of Linnartz and Hayashi for at least the reasons previously described. The Examiner does not appear to rely on Ryan to overcome the above-described deficiencies of the Linnartz and Hayashi combination. Accordingly, claim 5 is believed to be distinguishable from the applied combination of Linnartz, Hayashi, and Ryan.

For reasons similar or somewhat similar to those described above with regard to claim 1, independent claim 6 is believed to be distinguishable from the applied combination of Linnartz and Hayashi. The Examiner does not appear to rely on Ryan to overcome the above-described deficiencies of the Linnartz and Hayashi combination. Accordingly, claim 6 is believed to be distinguishable from the applied combination of Linnartz, Hayashi, and Ryan.

Claim 7 depends from claim 6, and, due to such dependency, is believed to be distinguishable from the applied combination of Linnartz, Hayashi, and Ryan for at least the reasons previously described.

Claims 1 and 2 are rejected under 35 U.S.C. §103(a) as being unpatentable over Linnartz (US 6209092) in view of McCready ("How to Register Your Copyright").

On page 5 of the office action, the Examiner stated that "Linnartz fails to disclose selecting one or more of a plurality of pieces of input data to receive management information and individually adding the information to the selected pieces of data." To overcome such deficiency of

Linnartz, the Examiner appears to rely on page 2 of McCready. It is respectfully submitted that the portion of McCready applied by the Examiner (hereinafter "McCready") does not disclose "selecting one ore more pieces of input data..." and "adding respective right information..." as recited in claim 1. That is, McCready appears to disclose how a person can register a song with the Copyright Office. It does not overcome the above described deficiencies of Linnartz.

Accordingly, independent claim 1 is believed to be distinguishable from the applied combination of Linnartz and McCready.

Claim 2 depends from claim 1, and, due to such dependency, is believed to be distinguishable from the applied combination of Linnartz and McCready for at least the reasons previously described.

Claims 5-7 are rejected under 35 U.S.C. §103(a) as being unpatentable over the modified Linnartz and McCready system as applied to claim 1, and further in view of Ryan.

Claim 5 depends from claim 1, and, due to such dependency, is believed to be distinguishable from the applied combination of Linnartz and McCready for at least the reasons previously described. The Examiner does not appear to rely on Ryan to overcome the above-described deficiencies of the Linnartz and McCready combination. Accordingly, claim 5 is believed to be distinguishable from the applied combination of Linnartz, McCready, and Ryan.

For reasons similar or somewhat similar to those described above with regard to claim 1, independent claim 6 is believed to be distinguishable from the applied combination of Linnartz and McCready. The Examiner does not appear to rely on Ryan to overcome the above-described deficiencies of the Linnartz and McCready combination. Accordingly, claim 6 is

believed to be distinguishable from the applied combination of Linnartz, McCready, and Ryan.

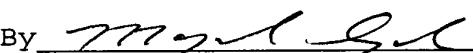
Claim 7 depends from claim 6, and, due to such dependency, is believed to be distinguishable from the applied combination of Linnartz, McCready, and Ryan for at least the reasons previously described.

As it is believed that all of the rejections set forth in the Official Action have been overcome, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he/she telephone applicants' attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,

By 
Mayush Singhvi
Registration No.: 50,431
LERNER, DAVID, LITTBENBERG,
KRUMHOLZ & MENTLIK, LLP
600 South Avenue West
Westfield, New Jersey 07090
(908) 654-5000
Attorneys for Applicants